

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

KESEY, LLC, an Oregon Limited Liability)
Company,)
Plaintiff,)
v.) Civil Case No. 06-540-AC
MICHELE FRANCIS, aka MISCHELLE)
McMINDES, an individual; MIKE HAGEN,)
an individual; KATHERINE WILSON, an)
individual; SUNDOWN & FLETCHER,)
INC., an Oregon corporation;)
ASSOCIATES FILM PRODUCERS)
SERVICES, an Oregon partnership or)
other business entity; and DOES 1 through)
100, inclusive,)
Defendants.)

)

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KING, Judge:

The Honorable John V. Acosta, United States Magistrate Judge, filed Findings and Recommendation on August 17, 2009. Defendants Michele Francis, Mike Hagen, and Sundown & Fletcher, Inc. (collectively "S&F defendants") filed timely objections to the Findings and Recommendation.

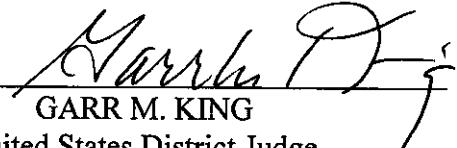
When either party objects to any portion of a magistrate's Findings and Recommendation concerning a dispositive motion or prisoner petition, the district court must make a de novo determination of that portion of the magistrate's report. 28 U.S.C. § 636(b)(1); Fed. R. Civ.

P. 72(b); McDonnell Douglas Corp. v. Commodore Business Machines, Inc., 656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920 (1982). This court has, therefore, given de novo review of the rulings of Magistrate Judge Acosta.

This court ADOPTS the Findings and Recommendation of Magistrate Judge Acosta (#101) dated August 17, 2009 in its entirety.

IT IS HEREBY ORDERED that Plaintiff's Motion for Summary Judgment (#66) is GRANTED. Plaintiff is declared the sole owner of all rights in and to the Screenplay and any derivative works based on the Screenplay. The S&F Defendants' Counterclaims are dismissed. The S&F defendants' Motion for Summary Judgment (#62) is GRANTED as to Count III of the Complaint and to the extent it limits Count II of the Complaint to conduct occurring two years before the Complaint was filed, and DENIED in all other respects. Does 1-100 are dismissed as defendants. Plaintiff is directed to submit a proposed form of judgment after conferring with defendants..

DATED this 2 day of November, 2009.


GARR M. KING

United States District Judge